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Aaron Setran to: David Albright
Cc: Rich Campbell

07/29/2009 09:53 AM

From: Aaron Setran/R9/USEPA/US
To: David Albright/R9/USEPA/US@EPA,
Cc: Rich Campbell/R9/USEPA/US@EPA

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I spoke w/ Mr. Robert Lapp this morning. He is the president of the Pineview HOA. The HOA has been in place for about two months. The HOA has taken responsibility from PTP for infrastructure management and maintenance at the site. However, according to Mr. Lapp, the HOA's responsibilities and role are per verbal agreement w/ PTP; according to Mr. Lapp, PTP and Leon May are one in the same. No legal documents, transferring ownership of infrastructure or anything of the kind, have been entered into by the HOA. So, PTP (and BIA) are still the legal owners.....I'm thinking.

I explained to Mr. Lapp that there were a number of issues related to the current wastewater system which will need attention in the very near future. I also mentioned that this could be a fairly expensive matter. He appreciated me giving him the heads-up, and was going to arrange a meeting w/ an attorney to discuss HOA responsibilities relative to PTP's ownership of the infrastructure, and whether legal transfer of the infrastructure to the HOA would be in the best interest of the HOA. I told him that we would be sending a letter to PTP advising them of current deficiencies, and that we would copy him and the BIA on the letter.....as the BIA actually holds the lease on the PTP property.

I'll draft a letter to PTP detailing Dave Wallis' audit of the facility, which will include a check-list of items which need immediate attention.....not sure that this letter would be an NOV, but it is possible. In the mean time, Rich, it would be helpful if you could touch base w/ Justin to verify the current ownership situation.....he may not be able to provide any information given Mr. Ray May's passing, but I'm uncomfortable calling him as I'm not an attorney. Thanks, Aaron

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